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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,629	03/11/2004	Douglas Harold Rollender	22	6663

7590 11/01/2005

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030

EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,629

Applicant(s)

ROLLENDER, DOUGLAS HAROLD

Examiner

CongVan Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5, 11, 17, 21, 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 5, 24 recite the limitation "a D interface" in 3. There is insufficient basis for this limitation in the claim and it's not clear what "a D interface" means.
4. Claim 11 recites the limitation "an E.sub.x interface" in 2. There is insufficient basis for this limitation in the claim and it's not clear what "an E.sub.x interface" means.
5. Claims 17, 21 recite the limitation " a B.sub.e interface" in 2. There is insufficient basis for this limitation in the claim and it's not clear what " a B.sub.e interface" means.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 8, 14, 18, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Gafrick et al. (EP 1124394A1).

Regarding claims 1, 8, 14, 18, and 22, Gafrick discloses a method and apparatus for re-establishing a call in a communication system, comprising: receiving at least one

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tag identifier in response to the emergency call from the at least one wireless unit (see fig.3, step 301 and its description); and transmitting a wireless call back number corresponding with the at least one tag identifier (see fig.3, step 305).

8. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Maupin et al. (5,689,548).

Regarding claims 1, Maupin discloses an emergency call back using MSC numbers, comprising: receiving at least one tag identifier in response to the emergency call from the at least one wireless unit (see abstract, fig.3, elements 30, 100, 40, 150(1), 110 and its description); and transmitting a wireless call back number corresponding with the at least one tag identifier (see fig.3, elements 150(2), 110 and its description).

Regarding claims 2, 6, 9, 15-16, 19-20, 25-26, Maupin further discloses the at least one tag identifier comprises a reference key to a database (see fig.3, element MSISDN, and its description).

Regarding claims 3-4, 10, 12, Maupin further discloses the database comprises at least one of an emergency call register and an emergency service message entity (see fig.3, elements MSISDN, 40, 110 and its description).

Regarding claims 5, 7, 11, 13, 21, 24, Maupin further discloses a public service answering point emergency call register receives the at least one tag identifier and transmits the wireless call back number over a D interface, E.sub.x interface, a B.sub.e interface (see fig.3, elements 150(1) , 150 (2), 110 and its description).

Regarding claims 8, Maupin discloses an emergency call back using MSC numbers, comprising: transmitting at least one tag identifier from a mobile switching

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center associated with the at least one wireless unit in response to the emergency call from the at least one wireless unit (see abstract, fig.3, element 30, 40, 150(1), 110 and its description).

Regarding claims 14, Maupin discloses comprising: transmitting at least one tag identifier from the emergency call register (see fig.3, element 30, 40, 150(1) and its description); entering the at least one tag identifier into an emergency service message entity (see fig.3, element 150(1) 110 and its description); and requesting the emergency callback corresponding with the entered at least one received tag identifier (see abstract, fig.3, element 150(2) and its description).

Regarding claims 18, Maupin discloses an emergency call back using MSC numbers, comprising: receiving at least one tag identifier from an emergency call register (see fig.3, element 30, 40, and its description); entering the at least one tag identifier into the emergency service message entity (see fig.3, element 30, 40, 150(1) 110, and its description); and requesting the emergency call corresponding with the entered at least one entered tag identifier (see abstract, fig.3, and its description).

Regarding claims 22-23, 27, Maupin discloses an emergency call back using MSC numbers, comprising: transmitting at least one tag identifier from the mobile switching center associated with the at least one wireless unit to an emergency service entity in response to the emergency call from the at least one wireless unit (see abstract, fig.3, element 30, 40, 150(1), 110 and its description).

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. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit 2688

Oct. 29, 2005.